



**DRAFT ENVIRONMENTAL ASSESSMENT
for the proposed
Brown's Septic Services
Land Application Site
Huson, Montana**

**Solid Waste Section
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ACRONYMS

BSS – Brown’s Septic Services

ARM – Administrative Rules of Montana

AAR– Annual Application Rate

Draft EA – Draft version of an environmental assessment before public comment

DEQ – Montana Department of Environmental Quality

DNRC – Montana Department of Natural Resources and Conservation

EA – Environmental Assessment

EIS – Environmental Impact Statement

GWIC – Ground Water Information Center

MBMG – Montana Bureau of Mines and Geology

MCA – Montana Code Annotated

MEPA – Montana Environmental Policy Act

MNHP – Montana Natural Heritage Program

O&M – Operation and Maintenance

Proposed Action – Approving a new septage land application site

Septic Rules– ARM Title 17, chapter 50, subchapter 8, “Cesspool, Septic Tank, and Privy Cleaners”

SDLA – “Septic Disposal Licensure Act”, Title 75, chapter 10, part 12, MCA

Site – Approximately 120 acres of property located approximately 19 miles northwest of Missoula in Missoula County at 20183 Ninemile Road in Huson, Montana.

SWL – Static Water Levels

USFWS – United States Fish and Wildlife Service

USGS – United States Geological Survey

1. NEED FOR PROPOSED ACTION

1.1 SUMMARY

This draft environmental assessment (Draft EA) was prepared for the septage land application site proposed by Brown's Septic Services (BSS), in accordance with the Montana Environmental Policy Act (MEPA). On March 27, 2020, the Department of Environmental Quality (DEQ) received an application from BSS for licensing a new septage land application site (Proposed Action). BSS proposes the land application of septage, graywater, portable toilet waste, sump pumpings, and grease trap waste on approximately 120 acres of property located approximately 19 miles northwest of Missoula in Missoula County at 20183 Ninemile Road in Huson, Montana. (Site, **Figure 1**).

1.2 BACKGROUND

In June 1994, BSS obtained a license from DEQ to pump and land apply septage in Montana. BSS is currently approved to land apply septage on multiple land application sites in Missoula County. BSS is proposing to add the Site to their license. The Site is on private property.

This application was signature certified by Missoula County prior to DEQ's environmental review. According to the Administrative Rules of Montana (ARM), DEQ cannot review a new site disposal application unless it has been previously certified by the local county health officer or designated representative.

Septage is the liquid and solid material removed from a septic tank, cesspool, portable toilet, or similar treatment works that only receive domestic waste and wastewater collected from household or commercial operations. Septage is different than sewage, which is wastewater and excrement that has not been treated and is conveyed in sewer systems. Septage is what Montana's septic tank pumpers land apply.

As Montana's population and seasonal visitation grow, the demand for disposal of septage increases. Wastewater treatment plants can accept only limited amounts of septage from pumpers. Land application by pumpers allows for safe disposal of septage without overloading Montana's wastewater treatment plants. Land application also reduces Montana farmers' reliance on chemical fertilizers to improve soil. BSS's application was submitted to DEQ under the laws and rules for licensing septic pumpers, demonstrating their intent to meet the minimum requirements for the pumping and land application of septage.

When properly managed, land application of septage is a beneficial resource, providing economic and environmental benefits with no adverse public health effects. A licensed land application program recognizes and employs practices that maximize those benefits. Septage does not include prohibited material (e.g., garbage or tampons) removed from a septic tank or similar treatment works by pumping.

1.3 PURPOSE AND NEED

DEQ must conduct environmental review on BSS's application by evaluating potential impacts of the Proposed Action. If DEQ approves the application, DEQ will add the Site to their existing license. DEQ's decision to approve or deny the application depends upon the consistency of the application with the following:

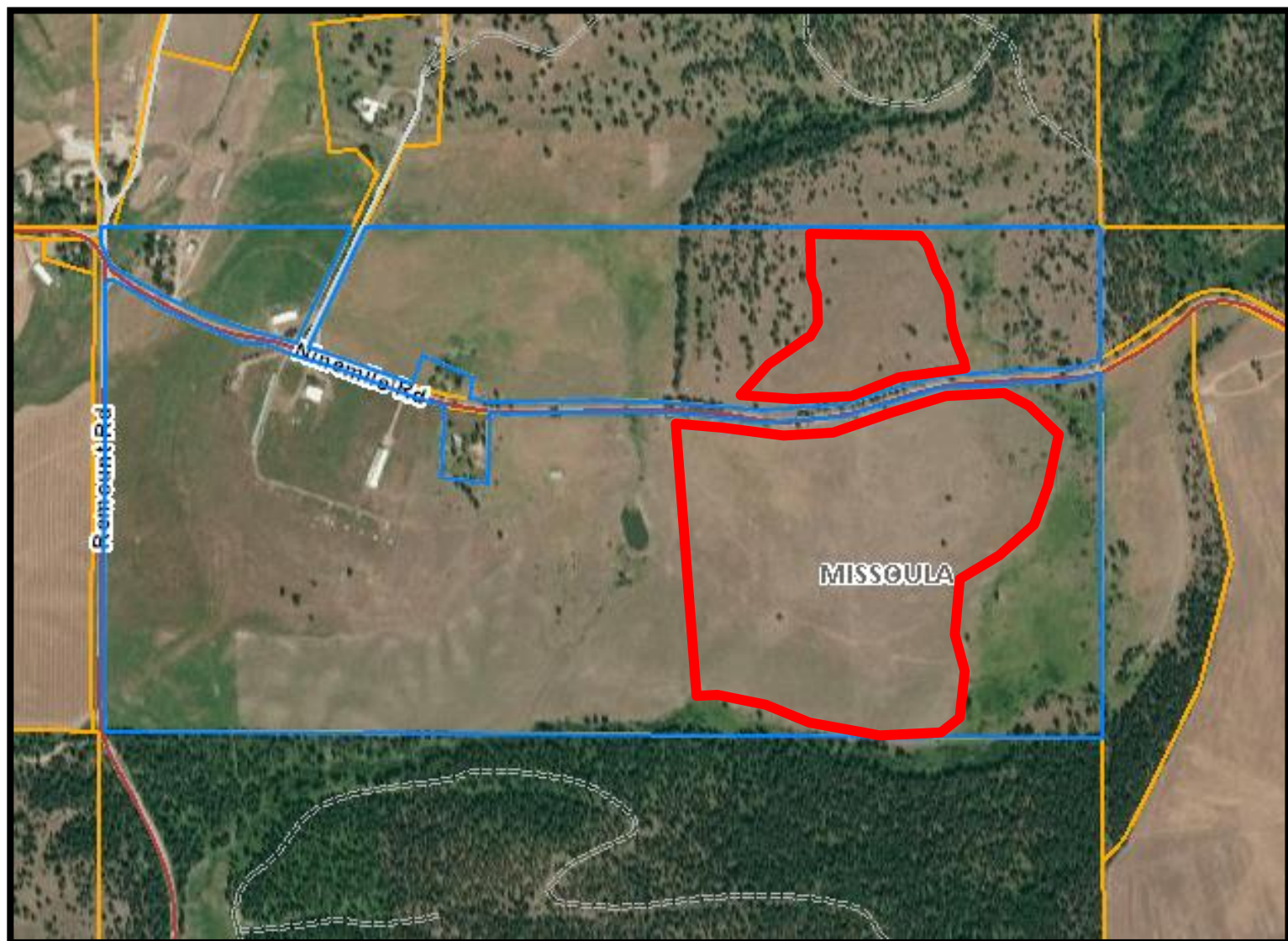
1. Septage Disposal Licensure Act (SDLA);
2. Administrative Rules of Montana (ARM) Title 17, chapter 50, subchapter 8, “Cesspool, Septic Tank, and Privy Cleaners” (Septic Rules);
3. the Clean Air Act of Montana; and
4. Montana Water Quality Act.

1.4 LOCATION DESCRIPTION AND STUDY AREA

The Site is in the N ½ of Section 16, Township 15 North, Range 22 West in Missoula County, Montana. The Site is currently native grass.

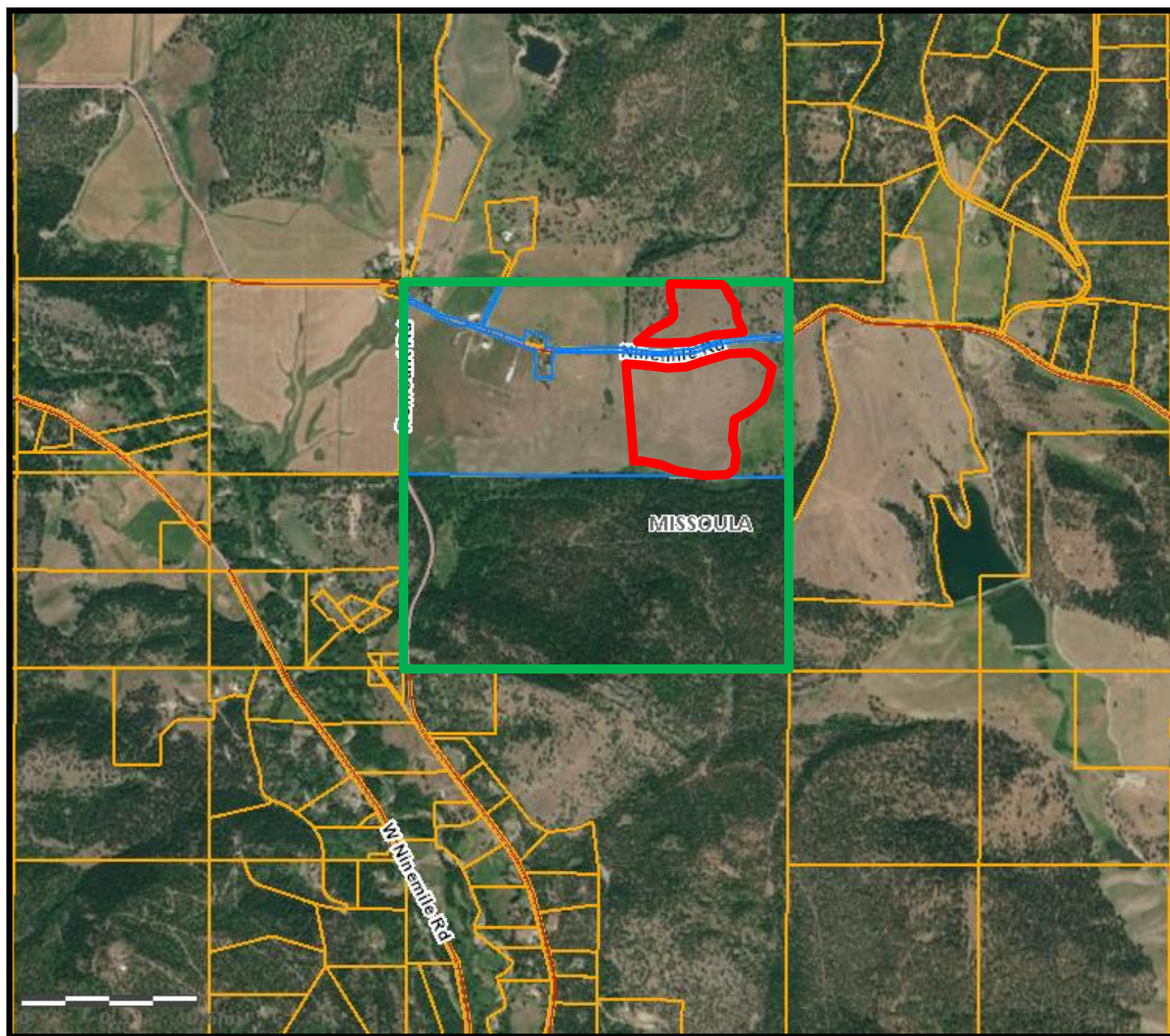
A private drive would be used to access the Site (**Figure 1**). The study area encompasses property that surrounds the Site. The study area depends on the resource under evaluation, as noted in the subparts of *Section 3*.

Figure 1: Proposed Land Application Site
(approximate Site in red; Von Der Ruhr property in blue; surrounding property boundaries in orange)



Source: Montana Cadastral (**NOT TO SCALE**)

Figure 2: Study Area
(approximate Site in red; Section 16 in green; Von Der Ruhr property in blue)



Source: Montana Cadastral (**NOT TO SCALE**)

1.5 COMPLIANCE WITH MEPA

Under MEPA, Montana agencies are required to prepare an environmental review for state actions that may have an impact on the human environment. The Proposed Action is considered a state action that may have an impact on human health and the environment. Therefore, DEQ must prepare an environmental assessment. This Draft EA analyzes the Proposed Action and reasonable alternatives to the Proposed Action and discloses potential impacts that may result from such actions. DEQ will determine the need for additional environmental reviews based on consideration of the criteria set forth in ARM 17.4.608.

1.6 PUBLIC INVOLVEMENT

DEQ is releasing this Draft EA to present its initial findings described in *Section 4*. A 30-day public comment period begins upon release of the document. The public comment period ends on February 13, 2021. A notice of availability for the Draft EA was sent to adjacent landowners and other interested parties. A public notice was published in the Missoulian and a hard copy was sent to Missoula Public Library in Missoula, Montana. The public notice and Draft EA may be viewed at: <https://deq.mt.gov/public/ea/SepticPumpers>.

2. DESCRIPTION OF ALTERNATIVES

This Section describes the Proposed Action and No Action alternatives. MEPA requires the evaluation of reasonable alternatives to the Proposed Action. Reasonable alternatives are achievable under current technology and are economically feasible, as determined by the economic viability of similar projects with similar goals, conditions, and physical locations. Reasonable alternatives are determined without regard to the economic strength of the applicant, but may not include an alternative facility or an alternative to the proposed project itself.

According to ARM 17.4.609(3)(f), an environmental assessment (EA) must include reasonable alternatives whenever reasonable and prudent. DEQ has not considered any other alternatives to the Proposed Action because BSS's application and operation and maintenance comply with the applicable laws and rules pertaining to land application of septage in Montana.

2.1 NO ACTION ALTERNATIVE

Under the No Action Alternative, the Site would not be approved by DEQ. Therefore, the Site could not be used by BSS, and disposal of septage would have to occur at another approved location or treatment works.

2.2 PROPOSED ACTION

BSS is proposing the land application of septage, graywater, portable toilet waste, sump pumpings, and grease trap waste on the Site, described in *Section 1.1*.

2.2.1 LAND APPLICATION SITE OPERATIONS

The operational and setback requirements for land application of septage at this Site are provided in **Tables 1** and **2**:

Table 1: Land Application Operational Requirements

ARM Reference	Specific Restrictions
17.50.809(10)	All non-putrescible litter must be removed from the land application site within 6 hours of application.
17.50.809(12)	Pumpings may not be applied at a rate greater than the crop's annual application rate (AAR) for nitrogen.
17.50.810(1)	Pumpings may not be applied to flooded, frozen, or snow-covered ground if the pumpings may enter state waters.
17.50.811(3)	<p>Pumpings may be applied only if the person first performs one of the following vector attraction and pathogen reduction methods:</p> <ul style="list-style-type: none"> • injection below the land surface so no significant amount remains on the land surface within one-hour of injection; • incorporation into the soil surface's plow layer within 6 hours of application; • addition of alkali material so that the pH is raised to and remains at 12 or higher for a period of at least 30 minutes; or, • management as required by 17.50.810 when the ground is frozen

Table 2: Land Application Site Setback Requirements

ARM Reference	Specific Restrictions
17.50.809(1)	Pumpings may not be applied to land within 500 feet of any occupied or inhabitable building.
17.50.809(2)	Pumpings may not be applied to land within 150 feet of any state surface water, including ephemeral or intermittent drainages and wetlands.
17.50.809(3)	Pumpings may not be applied to land within 100 feet of any state, federal, county, or city-maintained highway or road.
17.50.809(4)	Pumpings may not be applied to land within 100 feet of a drinking water supply source.
17.50.809(6)	Pumpings may not be applied to land with slopes greater than 6%.
17.50.809(8)	Pumpings may not be applied to land where seasonally high groundwater is 6 feet or less below ground surface.

Land application would be limited to areas approved by DEQ. Areas within the Site would not be used until their boundaries have been marked and approved by DEQ or the local county sanitarian.

BSS would be required to log the type and amount of septage land applied annually as well as the dates applied. Disposal logs would be submitted to DEQ semiannually. DEQ would verify the Site's annual application rate (AAR) and may periodically monitor the soils for adherence to the proposed maximum AAR.

2.2.2 EQUIPMENT AVAILABLE AND PUMPER TRUCK REQUIREMENTS

BSS has the following equipment available for land application activities:

1. 1996 Ford Super Duty
2. 2000 Ford F250
3. 2004 GMC C7500
4. 1993 International 4000
5. 1999 International 9000
6. 2003 International 561
7. 1993 Kenworth T800
8. 1993 Kenworth 999
9. 1990 Peterbilt 378
10. 1995 Peterbilt 379
11. 1998 Peterbilt 377
12. 1998 Peterbilt 378
13. 2002 Peterbilt Conv. 33
14. 2008 Sterling LT

The Septic Tank, Cesspool, and Privy Cleaner Vehicle Inspection Form was created by DEQ to guide the vehicle inspection. The county health officer's (or designated representative's) signature on the vehicle inspection form certifies that the vehicle is equipped with the necessary equipment to adequately screen and spread septage while land applying. The following questions are on the form to verify compliance with the Septic Rules:

1. Does the vehicle show signs of leakage?
2. Is the vehicle equipped with the proper spreading equipment?
3. Is the spreading equipment mounted on the vehicle or separate?
4. If required to screen septage before land applying, is the vehicle, or site, equipped with the proper screening equipment?
5. Is the spreading equipment approved for use?
6. Is the screening equipment approved for use?
7. Make/Model of Vehicle
8. Tank Size

BSS would be required to submit this form for each pump or vac truck to DEQ prior to land application.

2.2.3 AMOUNT AND EXTENT OF SEPTAGE APPLICATION

Land application must not exceed the AAR (gallons per acre per year) based on:

1. The nitrogen content of the waste applied at the Site; and
2. The crop nitrogen yield for the crop or other vegetation at the Site.

The AAR for portable toilet and vault type waste is calculated as follows:

$$\text{AAR} = \frac{\text{minimum crop nitrogen requirement (lbs./acre/year)}}{0.0052 \text{ (lbs./gallon)}}$$

Because septage, graywater, portable toilet waste, sump pumpings, and grease trap waste (or mixtures thereof) would be land applied by BSS, the AAR is adjusted for the portable toilet and vault type waste to accommodate for its higher nitrogen content.

The Site grows native grasses. The nitrogen requirement for native grasses is 75 pounds per acre per year. The resulting AAR for septage is 14,423 gallons per acre per year, which is equal to approximately 0.53 inches of liquid applied annually per acre. For comparison, the average annual precipitation in the Missoula area is 14.1 inches per year.

Land application of septage at the AAR is alternated annually between separate parcels to allow for agronomic crop uptake of the applied nitrogen. Plants can utilize nitrogen available from the septage if the volume of septage applied each year does not exceed the AAR. When land application is rotated, one parcel is used every year. For example, if 100 acres are proposed for land application, 50 acres would be used one year and the other 50 acres would be used similarly the next year. In this case, BSS would designate two equal areas of approximately 60 acres and rotate parcels each year. The residual soil nutrient levels at each parcel will vary over time. DEQ may periodically monitor the soil for nutrient content to determine compliance with the AAR.

The Von Der Ruhr property could annually treat the proposed 230,000 gallons of waste without exceeding the AAR on approximately 60 acres each year.

3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES BY RESOURCE

3.1 LOCATION DESCRIPTION AND STUDY AREA

The location description and study area are described in *Section 1.1* of this Draft EA. The study area includes land and resources in and around the Site. The affected environment is described in each subsequent section depending on the resource.

3.2 IMPACTS

Table 3 shows a summary of the impacts of the No Action Alternative and the Proposed Action.

Table 3: Impacts

Resource	Alternative 1 – No Action	Alternative 2 – Proposed Action
Wildlife and Habitats	Minor impact.	Minor impact. Wildlife tend to avoid land application sites due to human scent and activities and would relocate (See Section 3.2.1)

Soils and Vegetation	Minor impact.	Minor beneficial impact. The quality of soils and vegetations would be enhanced by the Proposed Action (See Section 3.2.2)
Geology	No impact	No impacts. (See Section 3.2.3)
Hydrology and Hydrogeology	No impact.	No impacts. (See Section 3.2.4)
Aesthetics and Noise	Minor impact.	Minor impact. Land application activities resemble agricultural activities occurring in the surrounding area. Odor would largely be controlled by daily tilling. (See Section 3.2.5)
Human Health & Safety	No impact.	No impacts. (See Section 3.2.6)
Industrial, Commercial, and Industrial Activities	No impact.	No impacts. (See Section 3.2.7)
Cultural Uniqueness and Diversity	No impact.	No impacts. (See Section 3.2.8)
Demand for Government Services	Minor impact.	Minor impact. Missoula County sanitarian and DEQ would conduct periodic inspections of the Site. (See Section 3.2.9)
Socioeconomics	No impact.	No impacts. (See Section 3.2.10)
Traffic	Minor impact.	Minor impact. BSS would access the Site via Ninemile Road, which currently supports traffic to homes and businesses in the area. (See Section 3.2.11)

3.2.1 WILDLIFE AND HABITATS

Impacts to wildlife and habitats from the Proposed Action would be minor.

Transient wildlife tends to avoid land application sites due to human scent and activities. Montana Fish, Wildlife & Parks (FWP) manages the overall wildlife populations of the region. Species of fish, amphibians, and aquatic plants are not included on the following lists because land application activities would not impact nearby perennial waters based on STP requirements for minimum setbacks, maximum slopes, and elimination of runoff (see *Sections 2.2.1* and *3.2.4.1*).

The applicant does not plan to expand the Site beyond the boundaries described in the application. Therefore, no habitats outside the land application area would be impacted. Parcels of land adjacent to the Site consist of forested private land, housing subdivisions, and a limited amount of agricultural production. Beyond the immediate vicinity of the Site, abundant habitat is available in the Lolo National Forest to accommodate any species forced to relocate due to the Proposed Action.

3.2.1.1 THREATENED AND ENDANGERED SPECIES

The U.S. Fish & Wildlife Service's (USFWS) online databases were used to identify plant and animal species at the Site and study area (USFWS, 2020). The USFWS species and status listings for Missoula County, Montana, are shown in **Table 4**:

Table 4: Federally Established Species List

Scientific Name	Common Name	Status
<i>Canis lupus</i>	Gray wolf	Recovery
<i>Haliaeetus leucocephalus</i>	Bald eagle	Recovery
<i>Coccyzus americanus</i>	Yellow-billed cuckoo	Threatened
<i>Pinus albicaulis</i>	Whitebark pine	Candidate
<i>Aquila chrysaetos</i>	Golden eagle	Species of concern
<i>Ursus arctos horribilis</i>	Grizzly bear	Threatened
<i>Lynx canadensis</i>	Canada lynx	Threatened
<i>Gulo gulo luscus</i>	North American wolverine	Resolved taxon

The Site does not provide the habitat necessary to independently sustain the species listed above. Nearby tracts of land in the Lolo National Forest provide excellent habitat for listed mammals, birds, and the whitebark pine. The Proposed Action is not anticipated to impact these species.

3.2.1.2 SPECIES OF CONCERN

No impacts to species of concern are anticipated because of the Proposed Action.

Designation as a species of concern is not a statutory or regulatory classification. Instead, these designations provide a basis for resource managers and regulators to make proactive decisions regarding species conservation.

The Montana Natural Heritage Program's (MNHP) online databases were accessed for listed species (MNHP, 2020). The MNHP species and status listing for Township 15 North, Range 22 West is shown in **Table 5**.

Table 5: Montana Recognized Species List

Scientific Name	Common Name	Status	GRank/SRank
<i>Gulo gulo</i>	Wolverine	Species of concern	G4/S3
<i>Ursus arctos horribilis</i>	Grizzly bear	Species of concern	G4/S2
<i>Falco peregrinus</i>	Peregrine falcon	Species of concern	G4/S3
<i>Melanerpes lewis</i>	Lewis's woodpecker	Species of concern	G4/S2

The MNHP uses a standardized ranking system developed by The Nature Conservancy and maintained by NatureServe. Each species is assigned two ranks; one represents its global status (GRank), and one represents its status in the state (SRank). The scale is 1-5; 5 means common, widespread, and abundant; 1 means at high risk. Species with a GRank 5 are not included in **Table 5**.

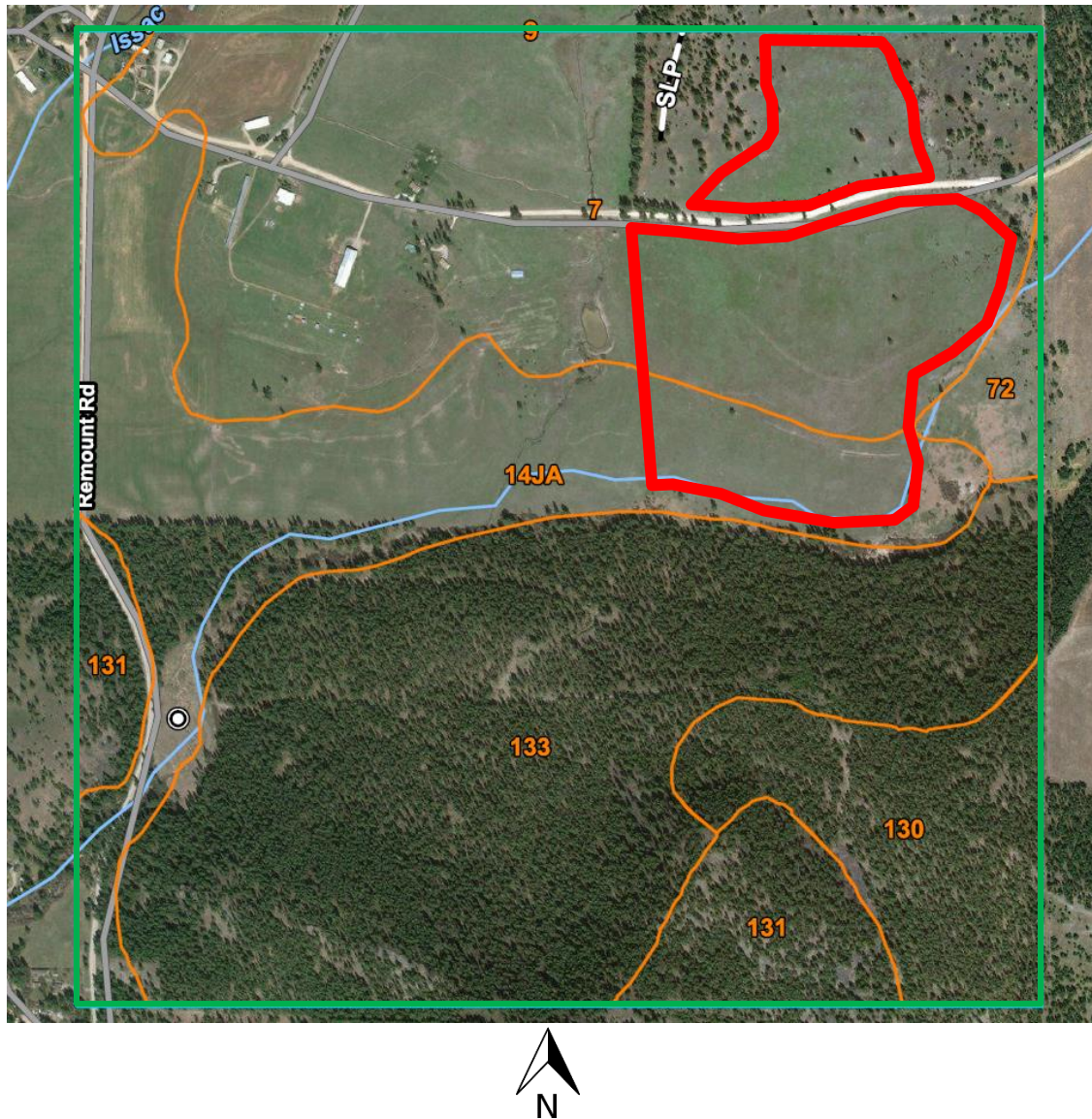
The Site is not located within a Core Area or any other recognized habitat level for sage grouse, as designated by the Department of Natural Resources and Conservation (DNRC).

3.2.2 SOILS AND VEGETATION

The impact of the Proposed Action to soils and vegetation would be minor.

The US Department of Agriculture (USDA) Natural Resources Conservation Service's (NRCS) National Cooperative Soil Survey databases were accessed for information about the shallow subsurface soils at the Site and surrounding area (**Figure 3** and **Table 6**).

Figure 3: Soil Resource Map
(Soil unit with delineation in **orange**, approximate Site in **red**, Section 16 in **green**)



Source: USDA, Natural Resources Conservation Service (NRCS), 2020 (**NOT TO SCALE**)

Table 6: USDA-NRCS, Custom Soil Resource Report, 2020

Map Unit Symbol	Map Unit Name	Soil Rating
7	<i>Minesinger-Bigarm complex, 0 to 4 percent slopes</i>	<i>Very limited</i>
14JA	<i>Stryker family, dissected hills and alluvial fans</i>	<i>Very limited</i>

Soil types where land application would occur belong to the Minesinger-Bigarm complex and Stryker family soil classes (7 and 14JA). The ratings shown in **Table 6** are based on the soil properties that affect absorption, plant growth, microbial activity, erodibility, the rate at which the septage is applied, and the method by which the septage is applied. "Not limited" indicates that a soil type has characteristics which are favorable for the specified use. Good performance and low maintenance can be expected. "Somewhat limited" indicates that a soil type has characteristics which are moderately favorable for the specified use. "Very limited" indicates that a soil type has one or more characteristics which are unfavorable for the specified use (NRCS, 2020).

The Site currently supports native grasses and several small trees which are commonly found in the surrounding area. The MNHP online databases were also accessed for listed plant species in the Township 15 North, Range 22 West study area (MNHP, 2020). Three species with a GRank 5 were listed and therefore are not included in this assessment. No impact on plant species of concern is anticipated to result from the Proposed Action.

Septage contains nutrients that can reduce the reliance of the farmer or land manager on chemical fertilizers to improve soil. The Proposed Action would add valuable moisture, organic matter, and nutrients to the topsoil, improving the Site's soil tilth and crop. The quantity and quality of soils and vegetation at the Site would be enhanced by the Proposed Action.

DEQ analyzed how the land application of septage would impact the Site's environment given the weather of the region. The weather in the area is typical of northwestern Montana, classified as warm summer continental climate. The average pan evaporation rate is listed as 30.83 inches per year. The hot months of June, July, and August coincide with the average Montana septic tank pumper's busy season. Dry soils, vegetation, and crops in this semi-arid zone would benefit from the added moisture.

3.2.3 GEOLOGY

No geological impacts are anticipated to result from the Proposed Action.

Periodic tilling of the surface topsoil to incorporate septage would not significantly affect the thickness or character of deeper glacial till found on the Site. Septage land application operations would not involve excavation.

The analysis area for geology is the Site and the surrounding area (beyond a mile). Some discussion of regional geology is provided. The analysis methods include reviewing geology field guidebooks, current United States Geological Survey (USGS) and Montana Bureau of Mines and Geology (MBMG) publications, and associated online maps accessed via the MBMG ArcGIS portal.

The geology of northwest Montana is characterized by extensive and thick sequences of ancient layered sedimentary rocks initially formed in basins, but now exposed in mountain ranges that are locally interrupted by recently faulted large graben valleys. These highly folded and faulted ancient basement rocks outcrop in the extensive mountains immediately surrounding the Site. Scattered outcrops of uplifted Precambrian Belt Supergroup argillites (metamorphosed mudstones) and younger Paleozoic, Mesozoic, and Cenozoic sedimentary formations are shown in various colors to provide their ages on the geologic map in **Figure 4**. This colored pattern of folded geologic formations is itself cut by a complex network of thrust and normal faults shown on the map as heavy black lines, dashes, and dots. The thrusts have “teeth” pointing toward the sheet that slid like a card over the top of another sheet. The faulting extends over a very long period, both during and well after the Laramide overthrust belt formed the Rocky Mountains during Late Cretaceous time. Uplift, deformation, and related seismic activity continues today in western Montana.

The Site lies within the Clark Fork drainage, above the confluence with Ninemile Creek, and is immediately flanked by steep mountains toward the northeast. The deep valleys, like the present Clark Fork, were once filled, and the mountains partially buried, by sediments shed by erosion during ongoing uplift. The sediments remaining in the narrow Clark Fork and Ninemile valleys are the host for shallow groundwater aquifers near the Site.

Pleistocene age glaciation, starting 2.6 million years ago, was the primary erosional and depositional agent responsible for shaping the physiography of northwest Montana as we see it today. Four major glacial advances affected Montana during the Pleistocene epochs, with ice covering the northern third of the state during the maximum extent of the glacial advance (Alden, 1953). The Site lies within glacial features associated with Glacial Lake Missoula.

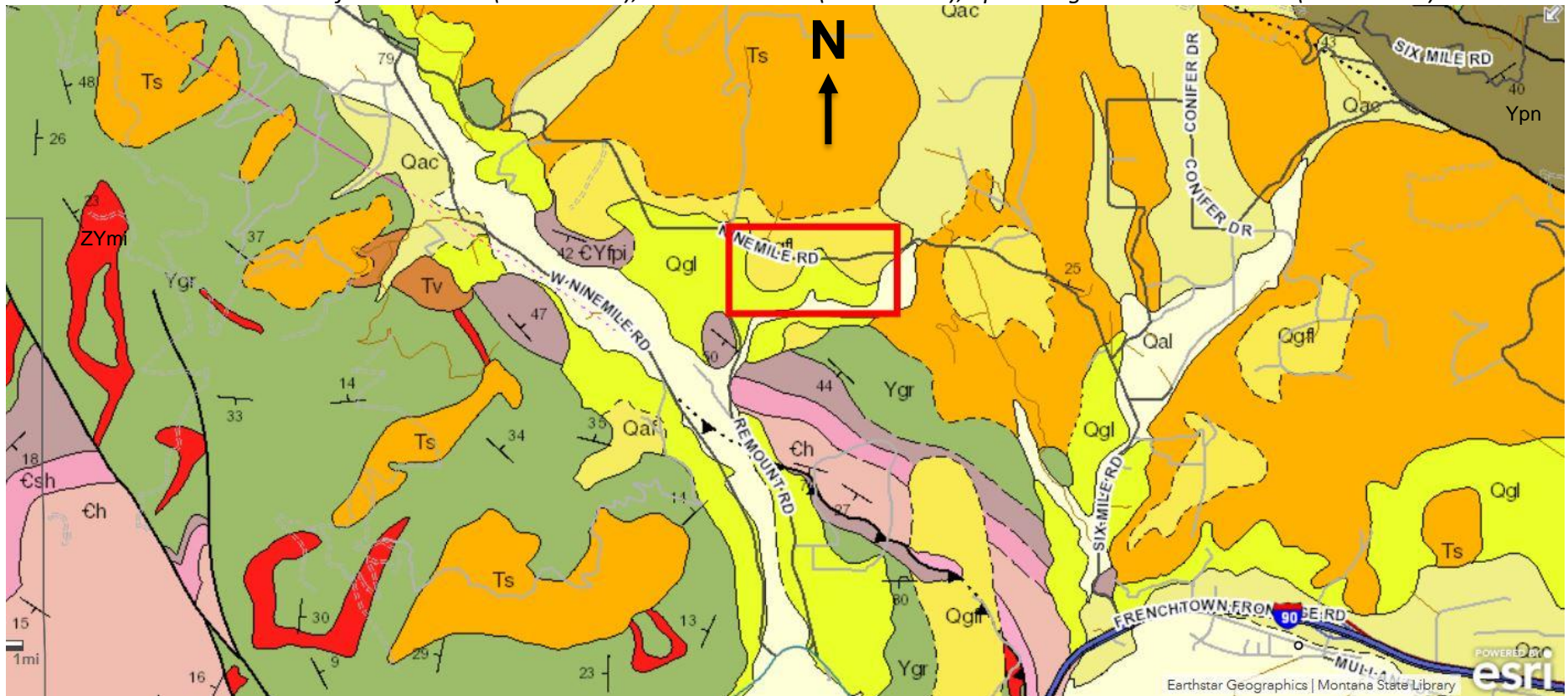
The complex Pleistocene deposits of loosely mixed or alternating clay, silt, sand, cobbles, and boulders in glacial units were often later reworked by runoff into thick sandy gravel outwash layers during melting of the glaciers. Finer sediments formed glacial lakebeds in the upper reaches of the ancient Clark Fork during ancient flooding behind the ice dam. This process of dissecting the older Pleistocene glacial deposits provides surface and near-surface variations in unconsolidated sediments of differing ages and sources.

Figure 4: Regional Geologic Map

***(Site in red)**

Symbols listed younger to older:

Qal—Alluvial deposits (Holocene), Qgr—Gravel deposits (Holocene), Qac—Alluvium and Colluvium deposits (Holocene), Qaf—Alluvial fan (Holocene), Qat—Alluvial terrace (Holocene), Qgt—Glacial till (Pleistocene), Qgl—Glaciolacustrine (Pleistocene), Qgfl—Glacial outwash (Pleistocene), Ts—Basin fill sediments (Tertiary), Tv—Volcanic lava flow (Tertiary)
 €h—?? Fm (Cambrian), €sh—?? Fm (Cambrian), €Yfpi— Flathead to Piegan Fms (Cambrian to Proterozoic),
 ZYmi—Mafic intrusive sill (Proterozoic), Yh—Helena Fm (Proterozoic), Ypn—Piegan to Newland Fms (Proterozoic)



* Fm (or Fms) means a Formation (or grouped Formations) within the Middle Proterozoic Belt Supergroup. Solid red areas are igneous intrusives. Bold black lines or dashes are faults; or thin purple lines are fold axes.

Source: MBMG, web mapping application and Montana Geologic Map 62 (2007), Montana Cadastral Map, NRIS

3.2.4 HYDROLOGY AND HYDROGEOLOGY

The analysis area for hydrology and hydrogeology is the Site and surrounding area (beyond a mile). Some discussion of regional geology, based upon published reports, is also provided. The analysis methods include reviewing wetland and jurisdictional waters information, onsite drilling reports, publications of the Montana Bureau of Mines and Geology (MBMG), and online maps (Esri/ArcGIS, 2020).

3.2.4.1 SURFACE WATER

No impacts to surface waters are expected due to the Proposed Action.

The Site is located within the Stony Creek-Ninemile Creek watershed, hydrologic unit code (HUC) 170102040305. Rock Creek bounds the Site on its east and south sides (**Figure 5**). In addition, Issac Creek flows approximately half a mile northwest of the Site. These creeks generally follow a southwestward path toward Ninemile Creek, their shared outlet. Ninemile Creek in turn flows south toward its confluence with the Clark Fork River, approximately 2.25 miles south of the Site (**Figure 5**).

Periodic inspections by DEQ for compliance with setbacks near the Site borders, slope restrictions, and runoff patterns will ensure no septage enters Rock Creek.

3.2.4.2 GROUNDWATER

No impacts to groundwater or groundwater wells are expected due to the Proposed Action.

The Montana Bureau of Mines and Geology's Ground Water Information Center (GWIC) is DEQ's reference for well data in Montana. All wells located within one mile of the Site and documented by GWIC when this Draft EA was written were considered. Any well not documented in GWIC is not included in this Draft EA, but if wells are proven to be within setbacks, the Site's boundaries would be adjusted to maintain the setbacks. See *Section 3.2.3* of this report for descriptions of the depositional environment beneath the Site.

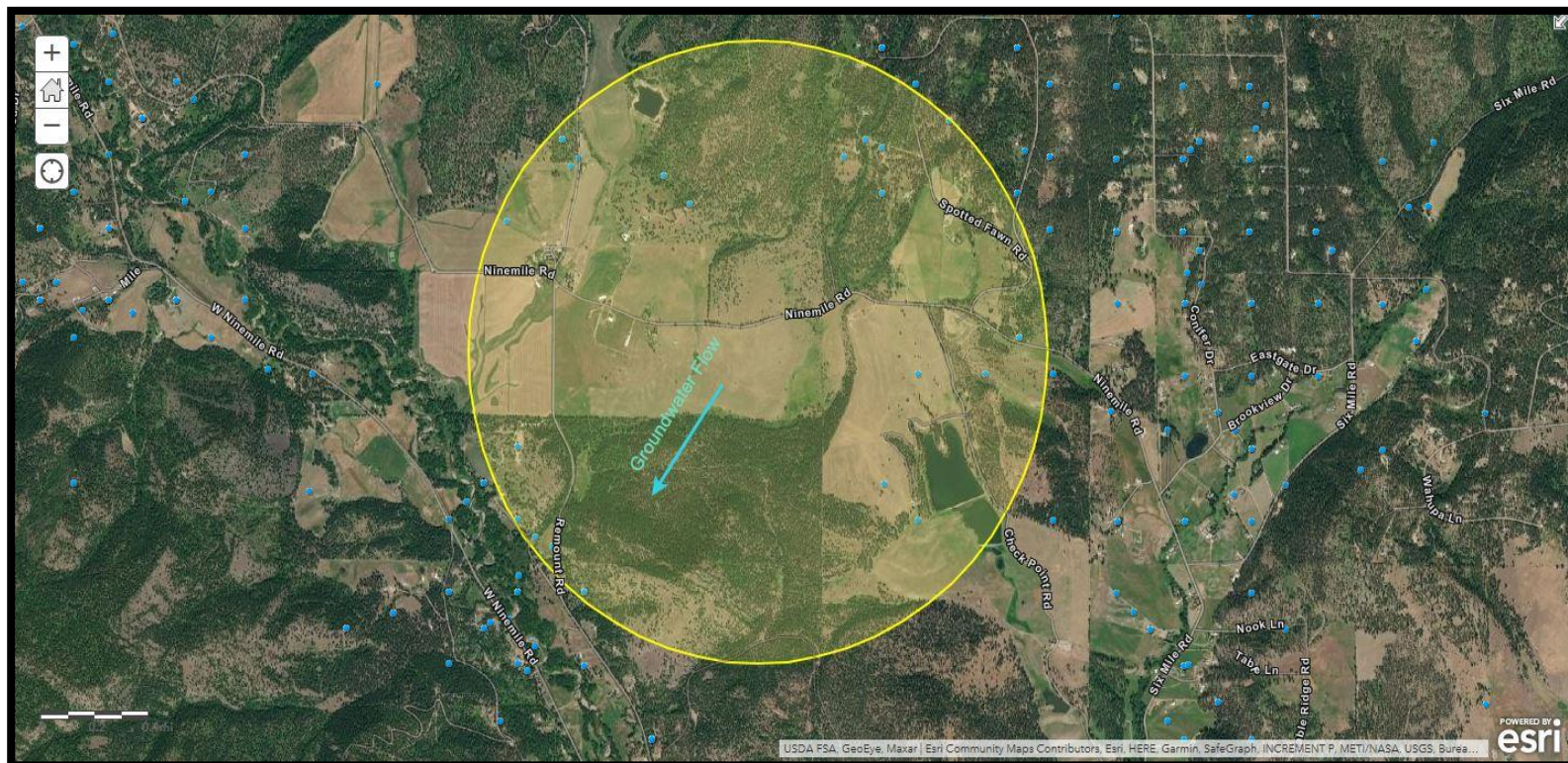
There are 20 documented groundwater production wells within a 1-mile radius of the Site, however, no wells exist on the Site. In the Site vicinity, groundwater flow direction is assumed to be from south-southwest toward Ninemile Creek, mimicking the surface water drainage patterns (**Figure 5**). Well logs from nearby wells indicate that low permeability clays with interbedded shale and coal seams, and occasional fine to coarse sands are the predominant deposits present in the subsurface to reported depths of approximately 300 feet below ground surface (BGS). The well log for GWIC #148720, located approximately one mile west-northwest of the Site, but along the same approximate elevation contour, reported a potential test zone for water at 145 feet to 160 feet BGS. The well log for GWIC #71989, located

approximately ½ - mile northwest of the Site, reports the pumping water level at 122 feet BGS. It can be assumed that the depth to groundwater at the Site is greater than the six feet minimum required by ARM 17.50.809(8).

Inspections and possible monitoring by DEQ would validate compliance with requirements for land application of septage at the AAR for the crops planted on the Site. This practice would be followed at the Site to ensure the absence of vertical percolation of septage below the soil treatment zone.

No impacts to groundwater or groundwater wells are expected due to the Proposed Action.

Figure 5: Location of Nearby Groundwater Production Wells
(GWIC wells in blue circles, 1-mile radius yellow shaded circle)



Source: Esri/ArcGIS and GWIC/MBMG (NOT TO SCALE)

3.2.5 AESTHETICS AND NOISE

The impact to aesthetics and noise from the Proposed Action would be minor.

A private road would be used to access the Site via Ninemile Road. The Site is not located on a prominent topographical feature. No other development is anticipated at the Site. The Site is located a rural area, with very few homes within a mile. The closest home lies just west of the Site (**Figure 1**). Setbacks will be met accordingly (500 feet from any occupied or inhabitable building).

DEQ and/or the local county sanitarian would respond to complaints about odor to determine if wastes were not properly managed. With proper management, odors would be minimal. The naturally occurring bacteria in the soil uses carbon in the waste as a fuel source. This activity results in the breakdown of wastes, which include odors. Usually, odors are only detected at the time and immediate vicinity (within feet) of the land application activity and are controlled by tilling within six hours. Land application could occur daily. Dust caused by tillage activities during the dry season would be reduced by the moisture content of septage.

The Proposed Action would be visible from Ninemile Road and resemble agricultural activities occurring in the surrounding area. Pumper trucks would access the Site to conduct land application activities. However, only one truck would access the Site at a time. Noise from the truck at the Site would resemble noises from agricultural activities currently occurring in the area. Therefore, impacts to aesthetics and noise would be minor.

3.2.6 HUMAN HEALTH & SAFETY

No impacts on human health and safety are expected because of the Proposed Action.

Septage would be land applied at the Site. Septage would be incorporated into the soil surface within six hours of application and dust would be controlled. No livestock grazing would occur while land application activities occur or within 30 days of the most recent application, as per ARM 17.50.811 (5)(a).

Regarding COVID-19, the Environmental Protection Agency (EPA) expects a properly managed septic system to treat COVID-19 the same way it safely manages other viruses often found in wastewater. The World Health Organization (WHO) has indicated that “there is no evidence to date that COVID-19 virus has been transmitted via sewerage systems, with or without wastewater treatment.” (EPA, 2020)

Access into the Site, via a private road, is controlled by a fence and gate.

3.2.7 INDUSTRIAL, COMMERCIAL, AND AGRICULTURAL ACTIVITIES

No impacts to industrial and commercial activities are expected due to the Proposed Action. Minor positive impacts to agricultural activities are expected due to the Proposed Action.

The Site is zoned as agricultural land and would not accommodate industrial or commercial activities. When land application occurs on an annual rotation (*Section 2.2.3*), crop production can occur and agricultural activities on the Site can continue. Land application of septage would improve soil health.

3.2.8 CULTURAL UNIQUENESS AND DIVERSITY

No impacts to cultural uniqueness and diversity are expected due to the Proposed Action.

The State Historic Preservation Office (SHPO) conducted a resource file search for Section 16, Township 15 North, Range 22 West, which indicated there have been no previously recorded sites within the area. Based upon ground disturbances in Section 16, Township 15 North, Range 22 West associated with agricultural activities and residential development in the area, SHPO determined there is a low likelihood that cultural properties would be impacted.

3.2.9 DEMAND FOR GOVERNMENT SERVICES

The impact to demand for government services from the Proposed Action would be minor.

DEQ staff would provide guidance to BSS for septage land application activities at the Site, with assistance from the Missoula County sanitarian as needed. Disposal logs showing volumes of waste applied by BSS at the Site are submitted to DEQ twice a year. Disposal logs would be reviewed by DEQ to ensure the AAR is not exceeded. Periodic inspections are performed by DEQ at all septic tank pumper land application sites. DEQ may obtain periodic soil samples for testing of nutrient levels to ensure compliance with the AAR for the Site.

3.2.10 SOCIOECONOMICS

No impacts to socioeconomics are expected due to the Proposed Action.

No additional employees would be hired because of the Proposed Action. Employees currently employed by BSS would conduct necessary operations at the Site.

3.2.11 TRAFFIC

The impact to traffic from the Proposed Action would be minor.

There would be no significant increase in traffic on Ninemile Road or Remount Road. One pumper truck would access the Site at a time. The Site would be accessed from Ninemile Road via a private road. Ninemile Road currently supports daily traffic to homes and businesses in the area.

3.3 REGULATORY RESTRICTIONS

MEPA requires state agencies to evaluate regulatory restrictions proposed for imposition on private property rights because of actions by state agencies, including alternatives that reduce, minimize, or eliminate the regulation of private property (Section 75-1-201(1)(b)(iii), MCA). Alternatives and mitigation measures required by federal or state laws and regulations to meet minimum environmental standards, as well as actions proposed by or consented to by the applicant, are not subject to a regulatory restrictions analysis.

No aspect of the alternatives under consideration would restrict the use of private lands or regulate their use beyond the permitting process prescribed by the SDLA. The conditions that would be imposed by DEQ in issuing the license would be designed to ensure conformance of the Proposed Action to minimum environmental standards or to uphold criteria proposed and/or agreed to by BSS during application review. Thus, no further DEQ analysis is required beyond the BSS application review for protection of human health and the environment.

3.4 CUMULATIVE IMPACTS

Cumulative impacts are the collective impacts on the human environment when a specific action is considered in conjunction with other past, present, and future actions by location and type. Cumulative impact analysis under MEPA requires an agency to consider all past and present state and non-state actions. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures. Cumulative impact analyses help to determine whether an action, combined with other activities, would result in significant impacts.

The Site is currently native grass. The surrounding area consists of agricultural activities and residential homes. The cumulative impacts of the Proposed Action would include limitations on the utilization of the Site for agricultural, recreational, and other activities, upheld until the Proposed Action ceases (ARM 17.50.811(4) and (5)).

4. FINDINGS

The depth and breadth of the project are typical of a septage land application site. DEQ's analysis of potential impacts from the Proposed Action are sufficient and appropriate for the complexity, environmental sensitivity, degree of uncertainty, and mitigating factors provided by the Septic Rules for each resource considered.

To determine whether preparation of an EIS is necessary, DEQ is required to assess the significance of impacts associated with the Proposed Action. The criteria that DEQ is required to consider in making this determination are set forth in ARM 17.4.608(1)(a) through (g):

- (a) The severity, duration, geographic extent, and frequency of occurrence of the impact;

- (b) The probability that the impact will occur if the Proposed Action occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur;
- (c) Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts;
- (d) The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources or values;
- (e) The importance to the state and to society of each environmental resource or value that would be affected;
- (f) Any precedent that would be set because of an impact of the Proposed Action that would commit DEQ to future actions with significant impacts or a decision in principle about such future actions; and
- (g) Potential conflict with local, state, or federal laws, requirements, or formal plans.

The Site's location is described in *Section 1.4* of this Draft EA, and includes approximately 100 acres of property located approximately 19 miles northwest of Missoula in Missoula County, Montana, at 20183 Ninemile Road. If BSS renews their license and operations comply with the SDLA and its implementing rules, land application activities and DEQ site inspections would continue indefinitely. The Site is not within sage grouse core habitat, general habitat, or connectivity area. It has no special agricultural designation. Operations would not adversely affect any threatened or endangered species.

The Proposed Action is expected to improve soils and vegetation at the Site, as described in *Section 3.2.2*.

The Proposed Action is not expected to impact surface water resources. Operational standards ensure that all the setback requirements from surface water are met and that no slopes exceed 6%, as described in *Section 3.2.4.1* of this Draft EA.

The Proposed Action is not expected to impact groundwater. The depth to groundwater is greater than six feet as required. Land application at agronomic rates would ensure that no septage could percolate below the surface treatment zone.

DEQ has not identified any growth-inducing or growth-inhibiting aspects of the Proposed Action. However, access to the parcels on the Site for utilization by human recreation, crops, and livestock would be limited to meet the regulatory restrictions necessary to protect human health (ARM 17.50.811(4) and (5)). DEQ's approval is not a decision regarding, in principle, any future actions that DEQ may perform. Furthermore, approval doesn't set any precedent or commit DEQ to any future action. Finally, the Proposed Action does not conflict with any local, state, or federal laws, requirements, or formal plans.

The Proposed Action would meet the requirements of the SDLA, the Clean Air Act of Montana, the Montana Water Quality Act, ARM, and county ordinances. Based on a consideration of the criteria set forth in ARM 17.4.608, DEQ has determined that BSS's proposal to add the Site to its septic pumper license is not predicted to significantly impact the quality of the human environment. Therefore, preparation of an EA is the appropriate level of review under MEPA.

5. OTHER GROUPS OR AGENCIES CONTACTED OR CONTRIBUTING TO THE EA

Missoula County Environmental Health Department
United States Environmental Protection Agency
World Health Organization
United States Department of Agriculture
Montana Natural Heritage Program
Montana Historical Society State Historic Preservation Office
United States Geological Survey
Montana Bureau of Mines and Geology
US Fish & Wildlife Service
Montana Sage Grouse Habitat Conservation Program

6. AUTHORS

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Date: January 14, 2021

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